

January 25, 2010

Public Hearing
PCIFB Grant

Public hearing began at 6:15 p.m.

Present: Bill Muse, Mayor; Gladys LeFevre, Sue Inman, Dennis Bertucci, Council Members; Judi Davis, Clerk; Mark McIff, Attorney.

Public Present: Jeff Sanders, Dick and Connie Reid, Doug and Camille Hall, Steve and Cheryl Cox, Caroline Gaudy, Alfred and Connie Jepsen.

The Mayor greeted the citizens and announced that the town is holding this advertised public hearing to inform the public that an application is proposed to be made for funding from the Utah Permanent Impact Fund Board for the purpose of renovating and expanding the community building.

While the original part of this building is structurally sound, a study done by a structural engineer has shown that the newer portion is not. It will be removed and the building expanded to provide extra space for use as a community center, senior citizens' center, and ADA compliant restrooms that will be accessible from outside as well as inside. A small clerk's office will also be included, as will storage and utility rooms. The existing rooms will be remodeled and made more energy efficient and will continue to be used for meetings and other public purposes. The electrical system needs to be replaced, as it is no longer in safe condition.

The cost estimate is \$620,000, and it is proposed that this funding be provided by a Block Grant in the amount of \$130,000, \$470,000 from the Community Impact Board, and \$20,000 from the Town.

The Town has applied to the Utah Small Cities Community Development Block Grant program for a grant in the amount of \$130,000 for a portion of the funding for this project.

It has been determined that the PCIFB very probably will not provide the remaining \$470,000 in the form of a grant. Therefore, the town is applying for a grant for \$310,000 and a zero-interest loan for \$160,000 to be paid back by the town over a 30-year period. It is possible that we may instead be offered an interest-bearing loan, or that the amounts offered will be in a different ratio of grant-to-loan.

The CIB could recommend a 50/50 loan/grant mix (\$235,000/\$235,000), or they might only offer a loan for the entire project. We will have the opportunity to accept, reject, or request modifications to the offer. If we are offered an interest-free 30-year loan, the annual payback amounts would be \$5,333 for \$160,000, \$7,833 for \$235,000, or \$15,667 for \$470,000. The Town expects to be able to make a \$5,333 payment without any change in its financial structure, but if the payment were considerably larger, we would have to reconsider our options. We will bond for the amount of the loan.

The hearing was then opened for public comment.

Steve asked if we were aware of any other funding programs available for senior citizens' centers. We know there are some that fund senior citizens' centers, but only if they are not open to the general public. However, it may be that Rural Development may have funding available.

Cheryl asked if we would have time, after an offer is made, to look for more funding if necessary. We don't know. Camille asked when we would know about the grants we are applying for. The CDBG funding should be announced by the end of February, and the CIB should be known by early summer. If we receive both in amounts that we can afford to pay back, we could then be ready to start construction by next spring.

Dennis asked, if we renegotiate a larger loan, do we have to go through this process again? We do not, but the decision as to whether to continue will be made in a public meeting. Caroline stated that she likes the project.

There were no more public comments, so the public hearing was closed at 6:35 p.m.

January 25, 2010

Public Hearing
Petitions for Road Vacation

Public hearing began at 6:35 p.m.

Present: Bill Muse, Mayor; Gladys LeFevre, Sue Inman, Dennis Bertucci, Council Members; Judi Davis, Clerk; Mark McIff, Attorney.

Public Present: Jeff Sanders, Dick and Connie Reid, Doug and Camille Hall, Steve and Cheryl Cox, Caroline Gaudy, Alfred and Connie Jepsen.

The first petition was from Jeff and Ana Sanders, requesting vacation of two sections of First East Street: a) beginning at the north end of Lots 38 and 39 and running south approximately 201.5 feet to its end, as shown on the Boulder Town Plat, and b) beginning at the south end of Tract 37 and Lot 33 and running north approximately 310 feet, exclusive of the intersection of First East Street and B Street, as shown on the Boulder Town Plat. Written comments were read. Drew Parkin, Escalante Field Station Manager of GSENM, stated that the Monument has no objection to the proposed action. Keith Gailey stated that he hoped the town would wait until the town park plans are completed before vacating any portion of First East. Alfred stated that the road ends in a swamp and is not usable. Connie Jepsen sees no reason to wait to make a decision. Dennis thought we should wait until the park plans are finished before making a decision on the upper section. Gladys stated that, if the road is vacated, the Monument will still have 30 feet for a road. Jeff stated that runoff water is a problem and that vacating the road would give them room to make it possible to manage the excess water more effectively. Connie thinks the Sanders (who are buying the property) could use the extra ground. Bill stated that this vacation wouldn't take anything from the town, there will still be access to the park, and it wouldn't affect any other neighbor. We have the written consent of the BLM, and the Town is the only other neighbor.

The second petition was from Camille and Doug Hall, requesting vacation of First West Street beginning at the south end of Lots 5 and 6; thence north 615.7 feet to its end as shown on the Boulder Town Plat. There was a discussion on the Garkane easement along the east side of the road. Jeff, speaking for BOSS (whose property is owned by Schoolhouse Properties), said the only reason they would need it would be if they subdivided their large parcel. Regarding the vacation, he reported that Josh is ambivalent. A few years ago, the Bremses requested vacation of the south section of the road between Halls and Van Quills. Jeff stated that the E Street access to the BOSS property is not usable, as it ends in a big, sandy gully.

A letter from Robert and Naomi Brems was read, stating that they are opposed to the vacation, as it would leave their Lot 4 landlocked. A letter from Keith Gailey also stated that the rear lot of the Brems' would be landlocked, as would the second lot of BOSS, and felt the town would have liability if it was instrumental in landlocking any lot without the consent of the owners. [The second BOSS lot is already landlocked.] The clerk also reported receiving a telephone call from Barbara Van Quill stating their opposition to the vacation. They have sent a letter which has not yet arrived. Bill stated that our current criteria for vacating a road requires that all adjoining property owners agree. Cheryl said that, if the 60' area is a road, it should be a road and not be used for other things. and said that the problem has come because other people have been using the roadway for their own purposes. They state that the Van Quills have told them that nothing will be done about their using the road, so they can do what they want. The Halls don't want to argue with anybody about parking or building in the road, but they want everyone to have the same understanding about use of the road. They would like the road to be graded to the end of where it is mapped.

Bill understands that, in order to satisfy the Halls, the town needs to open the road clear to the BOSS property. We need to be fair. Dennis wondered if it would be possible for the town to open the road and still have everybody stay off the road. The Halls stated that the Bremses have an east-west fence across First West Street at their property line. Camille reviewed their history of clearing a section of the road at their own expense in order to provide access to their lot to store Doug's trailer and materials. There was a lengthy discussion on possible solutions. We could have the road surveyed and markers placed so that everyone will know where the road is, then everyone should be required to remove any personal improvements or property from the road right-of-way. The town has to decide how much enforcement they want to get into. The end result was that everyone should be treated the same, i.e., if the Halls have to remove their fence, the Van Quills need to remove their corral and not use the roadway as a parking lot and the Bremses should remove their fence and whatever buildings and landscaping they have in the roadway. If everyone would agree to drive down the middle of the road, use of the edges could be worked out. Or, everything could continue as is at everyone's risk, with the knowledge that, when the town wants to open the road, all improvements would have to be removed.

All property owners need to know where the boundaries of the road are. The town will have it surveyed and mark the boundaries with string, then have a meeting with all owners onsite in an effort to come to some type of agreement. Camille will submit her written analysis of the situation.

The third petition is from Richard and Connie Reid, requesting vacation of First West

Street beginning at the north end of Lots 11 and 12; thence south 310 feet as shown on the Boulder Town Plat. Written comments submitted by Keith Gailey were read. He remembered that John Austin had told him that he planned to build on his lot that is adjacent to the Reids someday and by vacating the road that lot would become landlocked, creating a liability for the town. Connie stated that the road in front of Austin's adjoining property is a 40% grade and that it couldn't be used as a road. The council agreed that, in order to vacate the road between the Reids' lots, we would need written agreement from Jacqui Smalley and LeFair Hall.

The public hearing was closed at 8:05 p.m.